

Message Text

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12/14

ORIGIN EB-11

INFO OCT-01 CIAE-00 COME-00 DODE-00 INR-10 NSAE-00 RSC-01

TRSE-00 EUR-25 AEC-11 ADP-00 MC-02 /061 R

66660

DRAFTED BY: EB/ ITP/ EWT: RCDIXON/ IDA: RFINKLER

APPROVED BY: EB/ ITP / JRTARTTER

COMMERCE/ OEC: RMEYER

AEC: JFKRATZ(DRAFT)

DEFENSE/ OSD: MJMOUNTAIN

RPE

----- 115916

R 152249 Z JUN 73

FM SECSTATE WASHDC

TO OECD PARIS 2621/2622

INFO AMEMBASSY LONDON

WARSAW 5408/5409

C O N F I D E N T I A L STATE 117581

EXCON

C O R R R E C T E D C O P Y(OMISSION PARA 5 LAST WORD

IN LINE ONE TO READ U. S. IMI U. S.)

EO 11652: XGDS-1

TAGS: ESTC, COCOM, US, PL

SUBJ: US DISC DRIVES, DISC PACKS AND RELATED TECHNOLOGY TO
POLAND - IL 1565

REFS: A. COCOM DOCS(72)2393 AND 2394

B. COCOM DOC(73)384

C. COCOM DOC(73)407

D. OECD PARIS 6733 AND 11281

1. WE BELIEVE THAT MUCH OF THE DIFFICULTY CONCERNING REF.
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A CASES HAS ARISEN FROM MISCONCEPTIONS OF THE NATURE OF THE
PROPOSALS, PARTICULARLY THE TECHNOLOGY CASE, CAUSED LARGELY
BY LACK OF CLARITY IN THE ORIGINAL US PRESENTATION. IT IS
HOPED THE FOLLOWING WILL HELP TO DISPEL THESE MISCONCEPTIONS
AND SERVE TO ANSWER THE POINTS RAISED BY THE FRENCH AND
UK DELS.

2. ON THE LEVEL OF TECHNOLOGY INVOLVED, IT IS IMPORTANT TO EMPHASIZE THAT, WITH REGARD TO BOTH THE DRIVES AND THE DISC CARTRIDGES, THE CRITICAL AREAS OF TECHNOLOGY ARE EXCLUDED FROM THE ARRANGEMENTS AND ARE THUS FULLY PROTECTED. SPECIFICALLY, AS PREVIOUSLY POINTED OUT, NO TECHNOLOGY IS INCLUDED FOR VOICE COIL ACTUATORS, TRANSDUCER, READ/ WRITE HEADS, OR MAGNETIC SURFACES. THE COATED DISCS WILL BE FURNISHED IN COMPLETED FORM, WITH ALL TESTING OF MAGNETIC SURFACES DONE PRIOR TO SHIPMENT. THE ONLY OPERATION TO BE PERFORMED BY THE LICENSEE WITH REGARD TO THE 847 DISC CARTRIDGE IS THE PLACING OF THE SINGLE COATED DISC IN ITS CONTAINER. THE ONLY PRODUCTION TOOLS TO BE PROVIDED ARE UNEMBARGOED HAND TOOLS, JIGS, AND GAUGES FOR ASSEMBLING AND MEASURING THE ALIGNMENT OF THE DISC WITHIN THE CONTAINER. THE ONLY TEST EQUIPMENT FOR THE DISC IS A PARAMETER TESTER AND SPECIALIZED DISC CARTRIDGES USED FOR POSITIONING THE HEADS AND TESTING THE PERFORMANCE OF THE FINISHED DISC DRIVES.

3. THE 9425/847 IS EXPORTABLE AS PART OF A COMPUTER SYSTEM TO SOVIET BLOC DESTINATIONS UNDER THE EA PROCEDURER, AND THE COMMITTEE HAS PERMITTED THE EXPORT TO THOSE DESTINATIONS OF 2314- LIKE DEVICES WITH PACKING DENSITIES COMPARABLE TO THE 9425/847 AS PART OF COMPUTER SYSTEMS. THEREFORE, IN THE US VIEW, THE FACT THE 9425/847 REPRESENTS TECHNOLOGY SLIGHTLY MORE ADVANCED THAN THE 2311- LIKE DEVICES CONSIDERED IN THE SOU TO IL 1565, NOTE 3 DOES NOT DO VIOLENCE TO THE SOU, OR PROVIDE CAPABILITIES NOT AVAILABLE BY DIRECT EXPORT FROM THE WEST, OR DIVULGE TECHNICAL DATA NOT ALREADY DISCLOSED THROUGH THE EXPORT OF 2314- LIKE DEVICES.

4. THE US AUTHORITIES BELIEVE THAT THESE FACTORS THE OTHER CONDITIONS CONTAINED IN THE CONTRACT, AND THE CONFIDENTIAL

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TIONS IT PLANS TO PLACE IN ITS LICENSE TO THE US COMPANY FOR THE 9425 DISC DRIVE (ADDENDUM TO DOC(72)2394) FULLY SATISFY THE TERMS AND INTENT OF THE SOU EXCEPT IN ONE TECHNICAL PARAMETER AND IN THE LACK OF RELATION TO A WESTERN- LICENSED COMPUTER. AS TO THE FORMER, THE US VIEW IS THAT THE AVERAGE ACCESS TIME OF 42.5 MILLISECS. IS A SUFFICIENTLY SMALL DEPARTURE FROM THE TERMS OF THE SOU TO WARRANT FAVORABLE CONSIDERATION UNDER THE EXCEPTIONS PROCEDURE. AS TO THE LATTER, IT IS BELIEVED THAT THE CASE ALSO WARRANTS FAVORABLE CONSIDERATION IN THE VIEW OF THE CRITICAL TECHNOLOGY RESTRICTIONS AND THE LIMITATION OF PRODUCTION AND SALES TO POLAND UNDER TERMS COMPARABLE TO THE DIRECT SALE OF WESTERN EQUIPMENT TO THIS DESTINATION.

5. RE THE FRENCH QUESTION IN PARA 1 OF REF. C, THE U. S.

WOULD EMPHASIZE THAT THE SOU ESTABLISHES PERFORMANCE PARAMETERS AND BANS ON TECHNOLOGY FOR SPECIFICALLY IDENTIFIED DEVICES (READ/ WRITE HEADS, ACTUATORS, MAGNETIC SURFACES, ETC.), AND NOT DETAILED TECHNICAL PARAMETERS SUCH AS BIT PACKING DENSITY, AS THE CRITERIA FOR CONSIDERING TECHNOLOGY CASES. FURTHERMORE, AS ALREADY POINTED OUT,

METRONEX IS DENIED THE TECHNICAL KNOW- HOW TO PRODUCE THE RECORDING HEADS AND COATED DISCS NECESSARY FOR ACHIEVING PACKING DENSITY INVOLVED.

6. WITH REGARD TO THE UK DESIRE FOR A STATEMENT OF CLARIFICATION OF GENERAL US POSITION, ANY SUCH STATEMENT MUST NECESSARILY BE CONSIDERED AS OF AN INTERIM NATURE UNTIL SUCH TIME AS IT IS POSSIBLE TO GIVE FURTHER CONSIDERATION TO REVISION OF IL 1565. IN THE US VIEW, THE SOU ON TECHNOLOGY AND THE US PROPOSAL IN DOC REV(7111565/11 STILL SERVE AS A BASIS FOR CONSIDERING TECHNOLOGY AND OEM CASES. THE US WOULD FAVORABLY CONSIDER TECHNOLOGY CASES TO EASTERN EUROPE (NOT AT THIS TIME THE USSR) TO PRODUCE EQUIPMENT FOR USE WITH BLOC- PRODUCED COMPUTERS PROVIDED SUCH COMPUTERS DO NOT GREATLY EXCEED THE " EASY ACCESS" PARAMETERS. THE END USE AND END USER INFORMATION INCLUDING ASSURANCES OF PEACEFUL END USE FOR EACH INSTALLATION SHOULD BE THE SAME AS IF A COMPARABLE SYSTEM WERE BEING EXPORTED FROM THE WEST.

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7. IN THIS CONNECTION, THERE IS THE PROBABILITY THAT IN THE REASONABLY NEAR FUTURE THE DRIVES BEING LICENSED IN THIS CASE WILL BE USED WITH THE ODRA 1305 WITH A 1 MICROSEC MEMORY, PRESENTLY UNDER DEVELOPMENT, WHICH WE NOW UNDERSTAND WOULD HAVE A PDR OF ABOUT 11.3. WE DO NOT CONSIDER THIS SUFFICIENTLY IN EXCESS OF THE " EASY ACCESS" PARAMETER TO BE A PROBLEM, BUT THE LICENSE WILL BE RESTRICTED TO COMPUTERS AT THAT LEVEL OR BELOW. (SHOULD THE BRITISH IN THE LIGHT OF THIS HAVE DIFFICULTY WITH THE 8 BIT LIMIT PLACED BY THE US ON THEIR CASE IN DOC(72)2407, DEL MAY INFORM UKDEL THAT WE ARE WILLING TO SEE THE LIMIT IN THAT CASE RAISED TO 11.3).

8. AS TO THE OEM AREA, THE US WILL FAVORABLY CONSIDER THE PROVISION OF INFORMATION AND UNEMBARGOED TOOLS AND TEST EQUIPMENT FOR ASSEMBLING DISC PACKS AND DISC CARTRIDGES AND THE PROVISION OF COMPARABLE STANDARD DISC DRIVES, WITH A SMALL COMPUTER IF NECESSARY, FOR GROSS CHECKING OF THE ASSEMBLED ITEMS. HOWEVER, IT IS ASSUMED THAT THE DISC PLATTERS ARE COMPLETELY MANUFACTURED AND TESTED BY THE ORIGINAL MANUFACTURER, THAT NO EMBARGOED TOOLS OR TEST EQUIPMENT ARE PROVIDED, AND THAT THE ASSEMBLED PACKS AND CARTRIDGES WILL BE DISPOSED OF UNDER THE SAME CONTROLS AS COMPARABLE ITEMS EXPORTED FROM THE WEST. THIS STATEMENT

OF COURSE APPLIES TO THE UK AND NETHERLANDS CASES FOR BULGARIA (COCOM DOCS(71)436 AND (72)1861) AS WELL AS TO FUTURE REQUESTS.

9. SOME OF THE MISUNDERSTANDINGS AND INCONSISTENCIES IN THIS AREA HAVE UNDOUBTEDLY RESULTED FROM THE COMMITTEE' S INABILITY TO REVISE IL 1565 DURING THE 1971 LIST REVIEW. IN THIS INTERIM PERIOD, THE US IS ATTEMPTING, IN CONSIDERING EXCEPTIONS CASES, TO TAKE INTO ACCOUNT THE INTENT AND CONCERNS EXHIBITED BY THE 1971 LIST REVIEW PROPOSALS AND DISCUSSIONS AS WELL AS THE FACT THAT THE COMMITTEE, SINCE THE LIST REVIEW, HAS PERMITTED UNDER CERTAIN CONDITIONS THE EXPORT OF MORE HIGHER PERFORMANCE COMPUTER SYSTEMS AND THE PROVISIONS OF LIMITED QUANTITIES AND PRODUCTION QUANTITIES OF CERTAIN PERIPHERALS AND CRITICAL
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COMPONENTS FOR SOVIET BLOC PRODUCED COMPUTERS.

10. IT IS HOPED THE ABOVE INFORMATION WILL PROVIDE A SUFFICIENT BASIS TO ENABLE THE UK AND FRENCH AUTHOR T ES TO APPROVE THE REMAINDER OF THE REF. A REQUESTS AS SOON AS POSSIBLE. WE ARE ADVISED THAT THE POLES HAVE GIVEN THE COMPANY A JULY 1 DEADLINE. PORTER

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<< END OF DOCUMENT >>

Message Attributes

Automatic Decaptioning: X
Capture Date: 10 MAY 1999
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 15 JUN 1973
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: elyme
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1973STATE117581
Document Source: ADS
Document Unique ID: 00
Drafter: EB/ ITP/ EWT: RCDIXON/ IDA: RFINKLER
Enclosure: n/a
Executive Order: N/A
Errors: n/a
Film Number: n/a
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1973/newtext/t19730635/abqcempy.tel
Line Count: 191
Locator: TEXT ON-LINE
Office: ORIGIN EB
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 4
Previous Channel Indicators:
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: A. COCOM DOCS(72)2393 AND 2394 B. COCOM DOC(73)384 C. COCOM DOC(73)407 D. OECD PARIS 6733 AND 11281
Review Action: RELEASED, APPROVED
Review Authority: elyme
Review Comment: n/a
Review Content Flags:
Review Date: 08 AUG 2001
Review Event:
Review Exemptions: n/a
Review History: RELEASED <08-Aug-2001 by kellerpr>; APPROVED <16-Oct-2001 by elyme>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: <DBA CORRECTED> srp 980213
Subject: US DISC DRIVES, DISC PACKS AND RELATED TECHNOLOGY TO POLAND - IL 1565
TAGS: ESTC, PL, US, COCOM
To: OECD PARIS INFO LONDON
WARSAW
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005